



02-14-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Victor I. Chornenky, et al.

Appl. No.: Unassigned

Filed: On an even date herewith

For: **X-Ray Catheter**

Art Unit: Unassigned

Examiner: Unassigned

Atty. Docket: P775 CON 2



Box **PATENT APPLICATION**

Assistant Commissioner For Patents
Washington D.C. 20231

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR § 1.53(b)

Dear Sir:

This is a request for filing a [X] continuation [] divisional application under 37 CFR § 1.53(b) of pending prior application Serial Number 08/701,764, filed on August 22, 1996, entitled **X-Ray Catheter**.

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application Serial Number 08/701,764, and further that all statements made herein of my own knowledge are true; and further that these statements were made of with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
2. [X] Cancel in this application original claims 1-23 and 38-45, of the prior application before calculating the fee. (At least one original independent claim must retained for filing purposes).

3. The filing fee is calculated as follows:

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16c))	14 - 20 =	0	x \$18 =	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16(B))	2 - 3 =	0	x \$78 =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable (37 CFR 1.16(d))			+ _____ x \$260 =	
				BASIC FEE (37 CFR 1.16(a))	\$710
				Total of above	
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$710.00

4. [X] Please charge Deposit Account No. **01-2525** in the amount of **\$710.00**. A duplicate copy of this sheet is enclosed.

5. [X] The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. 1016 and 1.17, or credit any overpayment to Deposit Account No. **01-2525**. A duplicate copy of this sheet is enclosed.

6. [] A check in the amount of \$_____ is enclosed.

7. [X] The inventor(s) of the invention being claimed in this application is (are):
Victor I. Chornenky and Michael R. Forman

8. [X] Please amend the specification by inserting before the first line the sentence: This is a continuation of Application No. 08/701,764, filed August 22, 1996 which claims benefit of U.S. Provisional Application Nos. 60/006,708 filed November 14, 1995 and 60/002,722 filed August 24, 1995.

9. [] A preliminary amendment is enclosed.

10. [X] The prior application Serial Number 08/701,764 is assigned of record to:

MEDTRONIC AVE, INC.

11. [X] The power of attorney in the prior application is to:

Richard L. Klein, Registration No. 33,330
Susan M. Schmitt, Registration No. 34,427
Catherine C. Maresh, Registration No. 35,268
Deanna J. Shirley, Registration No. 39,026
James F. Crittenden, Registration No. 39,560

- a. [] The power of attorney appears in the original papers in the prior application.
- b. [X] Since the undersigned's power of attorney does not appear in the original papers, a copy of the undersigned's power in the prior application is enclosed.
- c. Address all future correspondence to:

IP Legal
Medtronic AVE, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Tel.: (707)543-0221
Fax: (707) 543-5420

Address all telephone calls to:

Catherine C. Maresh
(707) 543-0221

Respectfully Submitted,



Catherine C. Maresh
Registration No. 35,268

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" mailing label number EJ833101661US

I hereby certify this Application for Letters Patent, transmittal letter and all other papers identified in this transmittal letter, are addressed to Box Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231, and are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on

February 12, 2001
Date of Deposit


Christine L. Aceves